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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/022,922	12/17/2001	Philip C. Jackson JR.	014208.1447 (50-01-006)	2564
5073	7590	08/13/2004	EXAMINER	
BAKER BOTTS L.L.P. 2001 ROSS AVENUE SUITE 600 DALLAS, TX 75201-2980			PARDO, THUY N	
			ART UNIT	PAPER NUMBER
			2175	

DATE MAILED: 08/13/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/022,922	JACKSON ET AL.	
	Examiner	Art Unit	
	Thuy Pardo	2175	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 December 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-31 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-31 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>12/31/2003</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-31 are presented for examination.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-31 are rejected under 35 U.S.C. 102(e) as being as being anticipated by Gupta et al. (Hereinafter "Gupta") US Patent No. 6,438,562.

As to claim 1, Gupta teaches a method for processing a request using one or more database units coupled to a network [fig. 1 and 8A], comprising:

receiving a request for a record [a query is performed using the global index, col. 21, lines ; 1340 of fig. 13];

communicating the request one or more nodes [1340-1380 of fig. 13; fig. 11], wherein one more the nodes operable to provide an interface between one more associated database units and a network [fig. 1], and wherein one or more of the nodes is operable communicate with each

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other [nodes 111, 112, 113, and 114 communicate with each other through network 140, fig. 1; fig. 7];

identifying one more target database units that store the record [records need to be updated in nodes 11, 112, and 113, see fig. 11];

accessing the record, which stored in one or more the target database units [determining the number N of nodes available for updating a global index, 832 of fig. 8B];

processing the request based on the record that is stored one or more target database units such that a response to the request is generated [1010 of fig. 10]; and

returning the response the request that based on record, which is stored one or more of the target database units [see fig. 11].

As to claim 2, Gupta teaches the invention substantially as claimed. Gupta further teaches using hashing algorithm identify location the record within one more of the target database units [col. 15, lines 27-65].

As to claim 3, Gupta teaches the invention substantially as claimed. Gupta further teaches querying one or more nodes for data relating to an age characteristic associated with the record [1360 of fig. 13].

As to claim 4, Gupta teaches the invention substantially as claimed. Gupta further teaches

providing an index least one of nodes, the index comprising information associated with locations one more records, wherein one or more of the nodes may access the index to identify one or more the target database units that store the record [fig. 11; col. 20, lines 53-65].

As to claim 5, Gupta teaches the invention substantially as claimed. Gupta further teaches performing an operation the record that facilitates generation the response, each the nodes being operable to perform the operation and the operation being selected from the group consisting of modifying [updating, ab]; deleting [col. 13, lines 26-45]; copying and printing [inherent in the system]; and structured query language (SQL) commands [1340 of fig. 13].

As to claim 6, Gupta teaches the invention substantially as claimed. Gupta further teaches communicating an updated record after operation is performed on record one more of the target database units [fig. 11].

As to claim 7, Gupta teaches the invention substantially as claimed. Gupta further teaches employing a central server to identify the target database units, the central server comprising information indicating the location one more records that are included within one more of the database units [col. 11, lines 5-13].

As to claim 8, Gupta teaches the invention substantially as claimed. Gupta further teaches coupling one or more web servers to one more of the nodes, the web servers facilitating communications between the network and one more of the database units [fig. 1, 4].

As to claims 9-31, all limitations of these claims have been addressed in the analysis of claims 1-8 above, and these claims are rejected on that basis.

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thuy Pardo, whose telephone number is (703) 305-1091. The examiner can normally be reached Monday through Thursday from 8:30 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dov Popovici, can be reached at (703) 305-3830.

The fax phone number for the organization where this application or proceeding is assigned are as follows: (703) 872-9306 (Official Communication)

and/or:

(703) 746-5616 (*Use this Fax#, only after approval by Examiner, for "INFORMAL" or "Draft" communication. Examiner may request that a formal/amendment be faxed directly to them on occasions*).

Any inquiry of a general nature of relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-3900.

4. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

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Washington, D.C. 20231

or faxed to:

(703) 308-9051, (for formal communications intended for entry)

Or:

(703) 308-5359, (for informal or draft communications, please label
"PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal
Drive, Arlington, VA., Sixth Floor (Receptionist).

August 05, 2004

A handwritten signature in black ink, appearing to be 'Thuy N. Pardo', with a long horizontal line extending to the right.

THUY N. PARDO
PRIMARY EXAMINER